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**MODESTO MAN INDICTED FOR ADVERTISEMENT TO RECEIVE AND  
DISTRIBUTE CHILD PORNOGRAPHY FACES 60 YEARS IMPRISONMENT**

FRESNO – United States Attorney McGregor Scott announced today that a grand jury returned a three count indictment charging DAVID JOHN DEPEW, 21 years old, of Modesto, California, with advertisement to receive and distribute, receipt, distribution and possession of child pornography. The indictment alleges that DEPEW posted advertisements on an internet group soliciting others to post visual depictions of minors engaged in sexually explicit conduct and for others to exchange images with him.

This case is the product of an extensive investigation by agents of Homeland Security, Immigration Customs Enforcement (“ICE”).

According to Assistant United States Attorney Kimberly Kelly who is prosecuting the case, in an affidavit in support of a search warrant that was served at DEPEW’s residence last week, agents from ICE began an investigation in November 2005 of an internet group entitled “Preteen-Bestiality-and-Anything-Taboo.” The investigation led agents to DEPEW, who had posted child pornography images and messages on the site. Agents also found other internet postings by DEPEW of visual depictions of prepubescent females engaged in sexually explicit conduct. They found messages indicating that DEPEW was seeking child pornography from other individuals who visited the group site and offering to post additional child pornography images upon request.

In an affidavit filed with a criminal complaint, agents report that they recovered hard drives and floppy discs from the defendant’s residence. A preliminary examination of the files revealed approximately 250 videos and 3,500 images. Among the videos and images were depictions of prepubescent females engaged in a variety of sexually explicit conduct. The affidavit alleges that DEPEW admitted to possessing, receiving and transmitting the images. It further alleges that he admitted to being a moderator and making postings via the internet for the purpose of trafficking in child pornography.

If convicted of the charges as alleged in the indictment, DEPEW faces up to 60

years imprisonment and a mandatory minimum of fifteen years imprisonment.

The charges are only allegations and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

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